

**AGREEMENT TO TERMINATE AND REPLACE
STATE OF IDAHO/USDA FOREST SERVICE
COOPERATIVE ROAD AGREEMENT
DATED: March 20, 1984**

WHEREAS, the State of Idaho, Department of Lands and the United States of America, by and through the Regional Foresters, Regions 1 and 4, Forester Service, Department of Agriculture; are parties to the USDA Forest Service/State of Idaho, Department of Lands Cooperative Road Agreement dated March 20, 1984 and amended May 29, 1986; and

WHEREAS, the State of Idaho and the United States have incurred obligations under the aforementioned Cooperative Road Agreement and subsequent amendment; and

WHEREAS, it is the intent of the parties that the USDA Forest Service/State of Idaho Department of Lands Cooperative Road Agreement will be superseded by the terms provisions, agreements and exhibits as contained in the State of Idaho, Department of Lands/USDA Forest Service ROAD RIGHT-OF-WAY-CONSTRUCTION AND USE AGREEMENT, dated ~~January~~ 13 2003; and

WHEREAS, it is the desire of the State and the USDA Forest Service that the new AGREEMENT shall not affect the responsibilities of the parties with respect to any outstanding obligations, including excess cost, deferred maintenance, and annual maintenance already incurred; and

WHEREAS, it is the intent of the parties to carry such responsibilities and obligations forward in the new AGREEMENT which agreement includes the Road Right-Of-Way Construction and Use Agreement (including Exhibits A through H, and Appendices I and II), and the Cooperative Road Maintenance Agreement, as herein referenced.

IN WITNESS WHEREOF, the parties hereto acknowledge the Cooperative Road Agreement Dated March 20, 1984 and all subsequent amendments is hereby terminated and replaced by the State of Idaho, Department of Lands/USDA Forest Service Road Right-of-Way Construction and Use Agreement dated _____, 2003.

STATE OF IDAHO,
DEPARTMENT OF LANDS

By

COPY
WINSTON A. WIGGINS

Title Director, Idaho Department of Lands

UNITED STATES OF AMERICA

By

COPY
BRADLEY E. POWELL

Title Regional Forester

Northern Region, Forest Service

Department of Agriculture

By

COPY
JACK G. TROYER

Title Regional Forester

Intermountain Region, Forest Service

Department of Agriculture

THE AUTHORITY AND FORMAT OF THIS INSTRUMENT HAS BEEN REVIEWED AND APPROVED FOR SIGNATURE	
<i>Nora K. Mackay</i>	1/22/03
AGREEMENTS COORDINATOR	DATE